

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD SATISH EMRIT,

Plaintiff,

vs.

UNITED STATES DEPARTMENT OF
 AGRICULTURE, et al.,

Defendants.

Case No. 2:16-cv-02703-APG-NJK

ORDER
AND REPORT AND
RECOMMENDATION

Presently before the Court is Plaintiff's application to proceed *in forma pauperis*, as well as his complaint. Docket Nos. 1, 2. Chief United States District Judge Gloria M. Navarro has twice declared Plaintiff a vexatious litigant. *Emrit v. Ctrs. for Medicare and Medicaid Servs.*, No. 2:14-cv-1761-GMN-PAL, 2016 WL 164992, at *2 (D. Nev. Jan. 14, 2016); *Emrit v. Soc. Sec. Admin.*, No. 2:14-cv-01760-GMN-PAL, 2015 WL 4597834, at *1 (D. Nev. July 29, 2015). Chief Judge Navarro therefore set forth a specific procedure that Plaintiff must follow in order to file any documents in this District. *See Emrit*, 2016 WL 164992, at *2; *see also Emrit*, 2015 WL 4597834, at *1. Plaintiff has failed to comply with those orders in the instant case. *See* Docket.

1 Accordingly, the Court **ORDERS** that Plaintiff's application to proceed *in forma pauperis*
2 is **DENIED**. Further, the Court **RECOMMENDS** that this case be **DISMISSED** without prejudice.

3 IT IS SO ORDERED.

4 DATED: December 2, 2016

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7 NANCY J. KOPPE
United States Magistrate Judge

8 **NOTICE**

9 Pursuant to Local Rule IB 3-2 **any objection to this Report and Recommendation**
10 **must be in writing and filed with the Clerk of the Court within 14 days of service of this**
11 **document.** The Supreme Court has held that the courts of appeal may determine that an appeal
12 has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*,
13 474 U.S. 140, 142 (1985). This Circuit has also held that (1) failure to file objections within the
14 specified time and (2) failure to properly address and brief the objectionable issues waives the
15 right to appeal the District Court's order and/or appeal factual issues from the order of the
16 District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United*
17 *Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).
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